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U.S. APPLICATION NUMBER NO.

10/541,594

FIRST NAMED APPLICANT

Alain Prochiantz

ATTY. DOCKET NO.

275010US0XPCT

INTERNATIONAL APPLICATION NO.

PCT/FR03/03951

I.A. FILING DATE

12/31/2003

PRIORITY DATE

01/07/2003

22850

C. IRVIN MCCLELLAND

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CONFIRMATION NO. 1972

371 FORMALITIES LETTER



\*OC000000020908782\*

Date Mailed: 10/19/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 07/07/2005
- Copy of the International Search Report filed on 07/07/2005
- Information Disclosure Statements filed on 07/07/2005
- Biochemical Sequence Diskette filed on 10/02/2006
- Oath or Declaration filed on 01/05/2006
- Biochemical Sequence Listing filed on 10/02/2006
- Request for Immediate Examination filed on 07/07/2005
- Copy of references cited in ISR filed on 07/07/2005
- U.S. Basic National Fees filed on 07/07/2005
- Priority Documents filed on 07/07/2005
- Power of Attorney filed on 01/05/2006

RECEIVED: 10/23/06

OBLON, SPIVAK, McCLELLAND

MAIER &amp; NEUSTADT P.C.

DOCKETING DEPT.

Initials/Date Docketed: JS 10/23/06Type of Resp(s): Resp to Non-RespDue Date(s): 11/19/06 (N-E)

Applicant's response filed 10/02/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/29/2006 have not been completed.

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a



Docket No.: 275010US0X PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Box 3000 IFW



ATTORNEYS AT LAW

RE: Application Serial No.: 10/541,594  
Applicants: Alain PROCHIANTZ, et al.  
Filing Date: January 5, 2006  
For: COMPOSITION FOR INTRACELLULAR  
TRANSPORT OF BIOLOGICAL PARTICLES OR  
MACROMOLECULES  
Group Art Unit: 1636  
Examiner:

SIR:

Attached hereto for filing are the following papers:

**Notification of Defective Response (Return Copy); 3<sup>rd</sup> Preliminary Amendment; Sequence Listing (Paper; 2 pp.); Computer-readable Sequence Listing (Diskette)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Thomas M. Cunningham

Registration No. 45,394

Customer Number

**22850**

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substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,594	PCT/FR03/03951	275010US0XPCT